IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 31801 of 2006(J)

PETITIONER:

DANIAL JOHN, THAIKKATTIL HOUSE,
NEAR ASWINI HOSPITAL, PUTTURAICKAL,
THRISSUR.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:
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1. THRISSUR MUNINCIPAL CORPORATION
REPRESENTED BY ITS SECRETARY, THRISSUR.

2. PRINCIPAL SECRETARY TO GOVERNMENT
POWER (B) DEPARTMENT, THIRUVANANTHAPURAM.

3. ASSISTANT SECRETARY,
ELECTRICITY DEPARTMENT, THRISSUR CORPORATION,
THRISSUR.

4. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VAIDHYUTHI BHAVAN, THIRUVANANTHAPURAM.

R1&3 BY ADV. SRI.K.B.MOHANDAS,SC,THRISSUR CORPORATIO
SRI.LELLULAL T.G.THUNDATHIL
R2&4 BY ADV. SRI.JOSE J. MATHIEAKAL, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF FORM NO.4 WITH THE TEST REPORT.

P2: TRUE COPY OF THE PAGE NO.1 OF THE SAID AGREEMENT EXECUTED BETWEEN PETITIONER AND 1ST RESPONDENT.

P3: TRUE COPY OF BUILDING PERMIT DT.14.8.2006 ISSUED BY R1.

P4: TRUE COPY OF ORDER DT.5.5.2006 PASSED BY THIS HON'BLE COURT IN W.P.(C) NO.11837/2006.

P5: TRUE COPY OF PETITION DT.10.10.2006 SUBMITTED BY PETITIONER BEFORE R3.

P6: TRUE COPY OF LETTER DT.16.10.2006 OF R3.

P7: TRUE COPY OF LETTER DT.3.3.2007 OF R1.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.31801 of 2006

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Dated this the 29th day of May, 2007.

JUDGMENT

The petitioner, an applicant for electric connection, has filed this W.P. for direction to the concerned respondent to give electricity connection. Power supply in the Trichur Municipality is through the first respondent as a licencee. Standing Counsel for KSEB submitted that petitioner's house is located in the area covered by first respondent. Counsel for the first respondent submitted that KSEB's approval is required for giving connection. Since petitioner is entitled to an electricity connection, it is either for KSEB to give approval to first respondent for giving connection or to give connection to the petitioner by KSEB. In the circumstances, W.P. is disposed of directing the first respondent to give electricity connection provisionally to the petitioner and if KSEB approves the same, the connection will be regularised. If approval is not granted by KSEB, KSEB will give connection and simultaneously first respondent will withdraw the connection given provisionally.

C.N.RAMACHANDRAN NAIR
Judge

pms